

Case No. KUMAP0105US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re patent application of:

Applicants: Javed Naim Agrewala et al

Serial No.: 09/815,602

Filing Date: March 23, 2001

For: PROCESS FOR THE PREPARATION OF A VACCINE FOR THE
TREATMENT OF TUBERCULOSIS AND OTHER INTRACELLULAR
INFECTIONS DISEASES AND THE VACCINE PRODUCED BY THE
PROCESS

Examiner: Rodney P. Swartz

Art Unit: 1645

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

**Box AF: Expedited Procedure
Commissioner for Patents
United States Patent and Trademark Office
Washington, D.C. 20231**

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed
September 12, 2002, finally rejecting claims 1 to 3 and 5.

The items checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of
 X other than a small entity.
 a small entity.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 CFR 1.17(e), the fee for filing the Notice of Appeal is:

<u> </u> small entity	\$160.00
<u> X </u> other than a small entity	\$320.00
Notice of Appeal Fee Due	<u> \$ 320.00 </u>

3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions
of 37 CFR 1.136 apply.

(a) X Applicant petitions for an extension of time under
37 CFR 1.136 (fees: 37 CFR 1.17(a)-(3)) for the
total number of months checked below:

03/18/2003 #DATE1 00000071 180988 09815602

01 FC:1401 320.00 CH

02 FC:1253 930.00 CH

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3/21/03

	<u>Extension (months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
<u> </u>	one month	\$ 110.00	\$ 55.00
<u> </u>	two months	\$ 410.00	\$205.00
<u> X </u>	three months	\$ 930.00	\$465.00
<u> </u>	four months	\$1,450.00	\$725.00

Fee \$ 930.00

If additional extension of time is required, please consider this a petition therefor.

 An extension for _____ month has already been secured.
The fee paid therefor of \$ _____ is deducted from the total
fee due for the total months of extension now requested.

Extension fee due with this request \$ 930.00

OR

(b) Applicant believes that no extension of term is required.
However, this conditional petition is being made to
provide for the possibility that applicant has inadvertently
overlooked the need for a petition and fee for extension
of time.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$ 320.00
Extension fee (if any) \$ 930.00


TOTAL FEE DUE \$ 1250.00

5. FEE PAYMENT

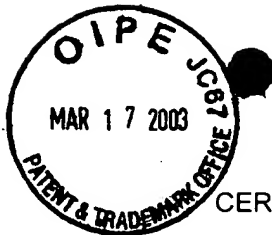
 Attached is a check in the sum of \$ _____.
 X Charge Account No. 18-0988 the sum of \$ 1250.00.
(A duplicate of this transmittal is attached.)

6. FEE DEFICIENCY

 X If any additional extension and/or fee is required,
charge Account No. 18-0988.
and/or
 X If any additional fee for claims is required,
charge Account No. 18-0988.

By 
Joseph J. Crimaldi
Reg. No. 41,690

1621 Euclid Avenue, 19th Floor
Cleveland, Ohio 44115
(216) 621-1113



CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence (along with any paper referenced as being attached or enclosed) is being deposited on the below date with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Box AF: Expedited Procedure; Commissioner for Patents; United States Patent and Trademark Office; Washington, D.C. 20231.

Dated: _____

03/12/03

Joseph J. Crimaldi
Joseph J. Crimaldi

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